

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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IN RE TERRORIST ATTACKS ON

CIVIL ACTION NO.

SEPTEMBER 11, 2001

03 MDL 1570 (GBD)

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FIONA HAVLISH, in her own right :  
and as Executrix of the ESTATE OF :  
DONALD G. HAVLISH, JR., Deceased, :  
*et al.*, :

CIVIL ACTION NO.  
03-CV-9848 – GBD

v. :

THE ISLAMIC REPUBLIC OF IRAN :  
*et al.* :

PLAINTIFFS' DAMAGES INQUEST MEMORANDUM

**Exhibit J**



Smith Economics Group, Ltd.

A Division of Corporate Financial Group  
*Economics / Finance / Litigation Support*

*Stan V. Smith, Ph.D.*  
*President*

February 15, 2012

Mr. Thomas E. Mellon, Jr.  
Mellon Webster & Shelly  
87 North Broad Street  
Doylestown, PA 18901

Re: Havlish v. bin Laden – Prejudgment Interest on Compensatory Non-economic Damages

Dear Mr. Mellon:

You have asked me to calculate prejudgment interest on Compensatory Non-economic Damages of \$1,728,500,000. Heretofore I have provided prejudgment interest only on the Compensatory Economic Damages for the 47 decedents. There has been no prejudgment calculation on any Compensatory Non-economic Damages regarding any of the plaintiffs.

To calculate the prejudgment interest on the Compensatory Non-economic Damages of \$1,728,500,000, I used the monthly average Prime Rate of Interest of 4.96 percent, published by the Federal Reserve System, from September 11, 2001 to January 1, 2013. The resulting amount is \$1,262,999,268. The method by which I arrive at this amount is exactly the same as Judge John M. Facciola's methodology in *Baker v. Syria*, 775 F.Supp.2d 48 (D.D.C. March 30, 2011).

Sincerely,

A handwritten signature in black ink, reading 'Stan V. Smith', is located below the word 'Sincerely,'.

Stan V. Smith, Ph.D.  
President